IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 32862 of 2006(K)

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PETITIONER:

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K.RAVEENDRAN,
ATTENDER, DEVASWOM BOARD PAMBA COLLEGE
CO-OPERATIVE SOCIETY LTD.NO.A353, PARUMALA,
MANNAR, RESIDING AT 'VILAYIL HOUSE',
KURATTIKADU MURI, MANNAR.

BY ADV. SRI.S.SHANAVAS KHAN
SMT.S.INDU

RESPONDENTS:

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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), PATHANAMTHITTA.

2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), THIRUVALLA.

3. THE PRESIDENT,
DEVASWOM BOARD PAMBA COLLEGE CO-OPERATIVE SOCIETY LTD. NO.A353.

BY GOVERNMENT PLEADER SRI.P.K.RAVI KRISHNAN
ADV. SRI.P.VINODKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF JUDGMENT DATED 18.11.05 IN W.P.(C).No.32236/05

EXT.P2: COPY OF THE STATEMENT DATED 11.1.2006 BY THE PETITIONER.

EXT.P3: COPY OF THE REPRESNTATION PREFERRED BY THE PETITIONER BEFORE THE 3RD RESPONDENT DT. 5.6.2006.

EXT.P4: COPY OF PETITION PREFERRED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 25.7.2006.

TRUE COPY

P.A.TO JUDGE

S.SIRI JAGAN,J

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W.P.(C).No.32862 OF 2006

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Dated this the 14th day of March, 2007

JUDGMENT

The petitioner is working as an attender in the Devaswom Board Pamba College Co-operative Society Ltd. No.A353. Third respondent is the president of the Society. The petitioner is working there from 1986 onwards. His appointment was approved by the appropriate authority, The petitioner's complaint is that he is not being paid his salary regularly. He had approached this court by filing W.P.(C). No.32236 of 2005 and this court directed the society to consider his claim. Although, subsequently, the second respondent recorded the statement of the petitioner, nothing further has happened. Thereafter, the third respondent did not permit the petitioner to sign the attendance register and to attend duty. Petitioner apprehends that the managing committee has decided to wind up the society, for which they have made a request to the second respondent. In the above circumstances, the petitioner preferred a petition, Ext.P4 under Section 176 of the Kerala Co-operative Societies Rules before the first respondent. Petitioner has therefore, approached this court seeking the following reliefs:-

i) issue a writ of mandamus or any other writ, order or direction directing the respondents 1 and 2 to take effective steps to disburse the salary and other benefits due to the petitioner forthwith;

ii) issue a writ of mandamus or any other writ, order or direction directing the 1st respondent to consider Ext.P4 representation on merits without delay, after affording to the petitioner an opportunity of being heard;

However, for the present the petitioner would be satisfied with a direction to the first respondent to consider and pass appropriate orders in accordance with law, on Ext.P4. Having heard both sides I direct the first respondent to consider and pass appropriate orders on Ext.P4 as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment, after affording an opportunity of being heard to the petitioner as well as the society.

S.SIRI JAGAN,JUDGE

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